

# **SHINDER DECLARATION EXHIBIT 1**



## Jeffrey I. Shinder

Jeffrey I. Shinder is the Managing Partner of Constantine Cannon's New York office. Mr. Shinder specializes in antitrust counseling and litigation, and has expertise in numerous industries, including payment systems, banking, high technology, energy, airlines, telecommunications, standard setting, health care, pharmaceuticals, sports, retail and utilities. In the payments realm he has represented networks, merchants, technology and engineering firms, and hardware suppliers, providing them litigation and consulting services. Mr. Shinder's antitrust expertise is widely recognized, as he has acted as Special Counsel to the U.S. Federal Trade Commission, delivered speeches and lectures on antitrust issues for both domestic and international audiences and has worked on numerous high profile antitrust cases.

Mr. Shinder has counseled clients on a vast range of antitrust issues, including antitrust compliance programs, Hart-Scott-Rodino Act reporting requirements and the preparation of Hart-Scott-Rodino filings, pre-merger coordination activities and information exchanges, the negotiation or modification of consent decrees, compliance with Civil Investigative Demands, trade associations, joint ventures, competitor collaborations, distribution practices, structured terminations and retail pricing policies, Robinson-Patman Act issues, and pending investigations and merger reviews conducted by the U.S. Federal Trade Commission and U.S. Department of Justice.

Mr. Shinder is a member of the Board of Directors of the National Center for Law & Economic Justice where he serves on the Executive Committee and is the Chair of the Budget Committee. Mr. Shinder served as Special Counsel to the U.S. Federal Trade Commission. In that role, he worked on designated projects for Commissioner Pamela Jones Harbour. Mr. Shinder was selected by *Law & Politics* to the 2007 through 2018 New York Super Lawyers list. He was also listed in *The New York Area's Best Lawyers* 2012 through 2018 editions as one of the New York region's top antitrust attorneys. He was also named in *Who's Who of Competition Lawyers* in 2014 and 2016, and the *International Who's Who* in 2014. In addition, Mr. Shinder was selected for inclusion in the Top Attorneys of North America 2016 Edition of the Who's Who Directories. He was listed in *The Best Lawyers in America*, 2012 through 2016 Editions, as one of America's top lawyers. Mr. Shinder was also selected by *Who's Who Legal: Competition 2016* as one of the world's leading plaintiffs' competition attorneys. Mr. Shinder was named "Litigator of the Week" in the May 8, 2014 edition of the *American Lawyer* for his ethical decision to withdraw from the environmental litigation in Ecuador.

Mr. Shinder's antitrust and complex commercial litigation experience includes the following high profile **matters**:

- *In Re Payment Card Interchange Fee Litigation*, MDL 1720 – Mr. Shinder is lead counsel representing 60 of the nation's largest merchants as plaintiffs and a coalition of merchants, which includes Amazon.com, Starbucks and 7-Eleven among others that opposed a proposed settlement to the long-running interchange case that was overturned by the Second Circuit Court of Appeals.
- *Regulation II (Debit Card Interchange Fees and Routing)* – Mr. Shinder was lead counsel to the Merchants Payments Coalition with respect to the proceedings before the Board of Governors of the U.S. Federal Reserve System concerning the regulation of debit interchange under the Dodd-Frank Wall Street Reform and Consumer Protection Act.
- *In re Visa Check/MasterMoney Antitrust Litigation* – Mr. Shinder was a lead attorney representing Wal-Mart, Sears, The Limited, Safeway, Circuit City, the National Retail Federation, the Food Marketing Institute, and the International Mass Retailers Association and a certified class of 4 million merchants, who were challenging Visa and MasterCard's Honor-All-Cards Rules under the Sherman Act. The case settled on the eve of trial in the largest private antitrust settlement in U.S. history. Mr. Shinder was the lead attorney responsible for overseeing the distribution of the multibillion dollar settlement fund created for the merchant class.
- *Discover v. Visa/MasterCard* – Mr. Shinder was co-lead counsel in Discover Financial Services LLC's successful multibillion dollar damages lawsuit against Visa and MasterCard. The case

### NEW YORK

T: 212.350.2700

F: 212.350.2701

[jshinder@constantinecannon.com](mailto:jshinder@constantinecannon.com)

[jshinder@constantinecannon.co.uk](mailto:jshinder@constantinecannon.co.uk)

Direct Dial: 212.350.2709

### PRACTICE GROUPS

[Antitrust Litigation & Counseling](#)

[Commercial Litigation](#)

[Government Affairs](#)

### ADMISSIONS

New York

Ontario

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Eastern District of New York

U.S. District Court for the Southern District of New York

settled on the eve of trial for \$2.75 billion, the third largest reported antitrust settlement in U.S. history.

- *Coalition of Immokele Workers v. Del Monte Fresh Production, Inc.* – Mr. Shinder was lead counsel for the Coalition of Immokele Workers and the Fair Foods Standards Council, human rights organizations dedicated to improving the working conditions of farm workers in the United States, against a breach of contract claim brought by Del Monte Fresh Productions, Inc. Mr. Shinder represented the organizations in the lawsuit defending the integrity of the fair food program – which has improved conditions for tens of thousands of farm workers in Florida. The lawsuit was successfully resolved with the Fair Food Program intact.
- *Insurance Coverage Litigation concerning American Airlines v. Sabre* – Mr. Shinder was retained as a testifying expert on antitrust law and antitrust litigation in an insurance coverage claim concerning the *American Airlines v. Sabre* federal and state court litigation.
- *FTC v. Rambus* – Mr. Shinder was appointed as a Special Counsel for the Federal Trade Commission in this landmark standard-setting case.
- *In re Transpacific Passenger Air Transportation Antitrust Litigation* – Mr. Shinder represented ANA, a Japanese airline, in its defense of a consumer class action that accused ANA, and other international airlines, of price fixing.
- *United States v. Primestar* – Mr. Shinder represented The News Corporation in the Department of Justice's suit to block the sale of certain direct broadcast satellite assets to a consortium of cable companies.
- *Liberty Cable v. Time Warner* – Mr. Shinder represented Liberty Cable, a cable overbuilder in New York City, in its monopolization suit against Time Warner Cable of New York.
- *Diskin v. Daily Racing Form* – Mr. Shinder represented K-III Communications Co. Inc. (now Primedia, Inc.) in its successful defense of an antitrust suit concerning the merger of two past-performance publications in the thoroughbred horse racing industry.

Mr. Shinder has written and lectured extensively on various antitrust issues. Mr. Shinder was a contributing author to the Fourth Edition of *The Antitrust Advisor*, a major antitrust hornbook, published by McGraw-Hill, Inc. He also drafts the annual update of the state antitrust law section of *Legal Aspects of Selling and Buying*, a leading antitrust treatise. The chapter he updates was cited in the Supreme Court's *Oneok, Inc. v. Learjet, Inc.* opinion. He has lectured on antitrust issues related to e-commerce focusing on the Microsoft lawsuit and the antitrust issues raised by business-to-business ("B2B") joint ventures. He has also lectured on the interface between antitrust law and intellectual property and has lectured for the International School of Management on comparative U.S./E.U. Antitrust law, focusing on merger enforcement.

Mr. Shinder has **published** the following articles on antitrust issues:

- *NCAA's Loss In O'Bannon Trial May Be Only A Partial Victory For Competition* (with David Scupp), Antitrust Today, August 13, 2014.
- *The Department of Justice's Last Stand in the Airline Industry – Did It Blink?* (with Jean Kim), Roll Call, December 2, 2013.
- *Visa, Returning to Old Ways, Squelches Competition in Debit* (with Matthew Cantor), American Banker, June 26, 2012.
- *Latest Anti-Durbin Argument is Desperate and Absurd*, American Banker, June 20, 2011.
- *Will Apple iCloud Bring An Antitrust Litigation Storm?* (with Ankur Kapoor), Forbes.com, June 10, 2011.
- *The Google-Apple Antitrust Dilemma* (with Evan P. Schultz), Forbes.com, July 1, 2010.
- *Antitrust meets the mobile world* (with Evan Schultz), Fortune at CNNMoney.com, May 26, 2010.
- *Feedback: Interchange Amendments is Pro-, Not Anti-Consumer* (with Matthew Cantor), American Banker, May 24, 2010.
- *Hospitality Merchants at Legal Crossroads* (with Matthew L. Cantor and Adam Nyhan), Lodging Hospitality, May 10, 2010.
- *Safeguard your standards*, Managing Intellectual Property, May, 2010.
- *In praise of class actions*, National Law Journal, April 5, 2010.
- *Court Gives Dominant Firms More Flexibility on Pricing* (with Ankur Kapoor), New York Law Journal, May 5, 2009.
- *VIEWPOINT: Interchange Facing an Unsteady Future*, American Banker, April 8, 2009.
- *Slow Death Of Section 2 Of The Sherman Act*, Competition Law360, March 9, 2009.

- *Taking Long-Term Antitrust Potential Seriously*, American Banker, November 26, 2008.
- *The Return Of Section 5 Of The FTC Act?* (with Taline Sahakian), Competition Law360, IP Law360 and Technology Law360, March 13, 2008.
- *VIEWPOINT: The FTC's Quixotic Pursuit of the Whole Foods/Wild Oats Merger*, published by www.globalcompetitionpolicy.org, November 7, 2007.
- *In Re Visa Check/MasterMoney Antitrust Litigation: A Study of Market Failure in a Two-Sided Market*, Columbia Business Law Review 2005.
- *When Market Definition Trumps Competitive Effects Analysis: First Data/ Concord Versus In Re Visa Check*, Antitrust Magazine, Fall 2004.
- *Rigging the System? Permitting Anticompetitive Settlements*, The Health Lawyer, June, 2004.
- *The Great Canadian Debit Debate*, Credit Card Management, May, 2004.
- *Wal-Mart Decision Illustrates Merchants' New Debit Power*, American Banker, February 6, 2004.
- *A Real Battle With RealNetworks, the Microsoft Settlement Fails Its First Test*, New York Law Journal, January 20, 2004.
- *Consolidation Raises Antitrust Issues*, Multichannel News, June 17, 2002.
- *Restoring The Balance Between Intellectual Property Rights and The Antitrust Laws – The Xerox Case And Its Aftermath*, Mealey's Litigation Report: Intellectual Property, May 6, 2002.
- *Hammering It Out*, Los Angeles Daily Journal, February 22, 2002.
- *The Microsoft Settlement, Another Better Course*, National Law Journal, January 7, 2002.
- *Smart Antitrust Compliance Programs*, Corporate Board, January/February 2002.
- *Merger Hindsight*, Los Angeles Daily Journal, November 28, 2001.
- *Time-of-Suit Challenges to Mergers and the New Hart-Scott Rodino Act Reporting Requirements*, Altman Weil's In-house Practice & Management Journal, August 2001.
- *United and American Airlines' Restructuring Of the Airline Industry: Will the Bush Administration Act?*, Andrews Antitrust Litigation Reporter, June 2001.

Given his expertise in payments, Mr. Shinder also writes on strategic developments in that industry, including the following:

- *TCH Just Made the Case for a Federal Reserve Real-Time Payments Alternative*, C|C Payments Blog, April 18, 2019.
- *Visa's Proposed Acquisition of Earthport – A Good Test for Antitrust in the 21<sup>st</sup> Century*, C|C Payments Blog, April 10, 2019.
- *Visa's Proposed Acquisition of Earthport – A Good Test for Antitrust in the 21<sup>st</sup> Century*, C|C Payments Blog, April 10, 2019.
- *Does the Apple Card Signal Apple's Plan to Ultimately Disrupt the Payments Industry?*, C|C Payments Blog, April 3, 2019.
- *Why the Fed Needs to Offer a Real-Time Payments Alternative*, C|C Payments Blog, March 27, 2019.
- *Facebook's Foray into Payments: Revolutionary or More of the Same?*, C|C Payments Blog, March 20, 2019.
- *Can Blockchain Introduce Competition in Payments?* (with Matthew Vaccaro), C|C Payments Blog, March 20, 2019.

Mr. Shinder was **quoted** in the following articles:

- *Danske Bank CEO resigns; Visa, Mastercard offer to settle with retailers*, American Banker, Sept. 19, 2018.
- *Visa and Mastercard offer \$6.2bn for 'swipe fees' settlement*, by Robert Armstrong in New York and Federica Cocco in London, *Financial Times*, Sept. 19, 2018.
- *A \$6.2 Billion Pact May Be Only a Prelude to Difficult Haggling Ahead for Merchants And the Card Networks*, by Jim Daly, *Digital Transactions*, Sept. 18, 2018.
- *DOJ About-Face In High Court AmEx Case Has Attys Puzzled*, by Eric Kroh, *Law360*, Aug. 9, 2017.
- *New claims coming in swipe fee litigation, merchants say*, by Richard Vanderford, *MLex Market Insight*, August 11, 2016.
- *Socialists Use American Environmentalists To Shake Down US Companies*, by Kevin Glass, the *Federalist*, August 10, 2016.
- *Second Circuit rules for Chevron, agrees \$9.5 billion judgment against oil giant was product of fraud, racketeering*, by Jessica Karmasek, *Legal News Line*, August 9, 2016.

- *Circuit Upsets \$7.5B Pact Between Merchants, Credit Cards*, by Mark Hamblett, [New York Law Journal](#), July 1, 2016.
- *Visa, MasterCard \$5.7B Antitrust Class Deal Nixed*, by Perry Cooper, [Bloomberg](#), June 30, 2016.
- *Nixed \$7B Visa, MasterCard Antitrust Deal Nixed By 2nd Circ.*, by Jeff Zalesin, [Law360](#), June 30, 2016.
- *MasterCard And Visa vs U.S. Retailers: Antitrust Settlement Thrown Out*, by Bradleigh Ann Walker, [Inquisitr](#), June 30, 2016.
- *Appeals Court Nixes \$7.25B Credit Card Swipe Fee Settlement*, by Larry Neumeister, [AP](#), June 30, 2016.
- *Visa, MasterCard Drop as Appeal Upends \$5.7 Billion Accord*, by Christie Smythe, Jennifer Surane, Bob Van Voris, [Bloomberg](#), June 30, 2016.
- *Battle Over Cards Heats Up as Court Rejects Visa, MasterCard Deal With Retailers*, by Robin Sidel, [Wall Street Journal](#), June 30, 2016.
- *Visa, MasterCard \$7.25 billion settlement with retailers is thrown out*, by Jonathan Stempel, [Reuters](#), June 30, 2016.
- *AmEx Ruling Prompts Questions On \$7B Interchange Fee Deal*, by Melissa Lipman, [Law360](#), Aug. 5, 2015.
- *Counsel's 'Egregious' Conduct Upsets Credit Card Settlement*, by Christine Simmons, [New York Law Journal](#), Aug. 5, 2015.
- *AmEx Judge Rejects Merchant Settlement Over Card Fee Rules*, by Christie Smythe, [BloombergBusiness](#), Aug. 4, 2015.
- *Judge Rejects Proposed Settlement Between AmEx and Merchants*, by Robin Sidel, [Wall Street Journal](#), Aug. 4, 2015.
- *Judge Rejects Settlement in American Express Case*, by Rachel Abrams, [New York Times](#), Aug. 4, 2015.
- *AmEx loses card case, which could mean deals for shoppers*, by Ben Popken, Today, May 1, 2015.
- *DOJ Downplays Retailers' Concerns With AmEx Steering Fixes*, [Law360](#), April 20, 2015.
- *According to a ruling by a Federal judge the American Express Co. violated the United States anti-trust law*, MicroCap Observer, February 20, 2015.
- *Judge rules against American Express in antitrust case*, by Daphne Howland, [RetailDIVE](#), February 20, 2015.
- *American Express Policies Harm Merchants and Competition, Court Rules*, by Evan Roberts, [Capital OTC](#), February 20, 2015.
- *Federal Court Finds American Express Guilty in Antitrust Lawsuit*, by Clarence Martin, [Highlight Press](#), February 20, 2015.
- *AmEx Shows Small Market Shares Carry Antitrust Risks*, by Melissa Lipman, [Law360](#), February 19, 2015.
- *American Express Violated Antitrust Laws, U.S. Judge Rules*, by Hilary Stout, [New York Times](#), February 19, 2015.
- *AUO seeks simultaneous LCD follow-on trials*, by Pallavi Guniganti, [Global Competition Review](#), January 7, 2015.
- *Law Firms See Dollar Signs in Mobile Payments Scrum*, by Patience Haggin, [Recorder](#), October 31, 2014.
- *More Recruits Join Interchange Battle*, by Missy Baxter, [Credit Union Times](#), October 3, 2014.
- *Durbin Joins Wal-Mart, 7-Eleven in Interchange Battle*, by Missy Baxter, [Credit Union Times](#), September 26, 2014.
- *Wal-Mart, 7-Eleven Back Supreme Court Swipe Fee Challenge*, by Jonathan Randles, [Law360](#), September 24, 2014.
- *American Express deal with merchants raises 'concern' for judge*, by Richard Vanderford, [MLex](#), September 17, 2014.
- *NCAA's Strongest Argument Might Be Cap Limit*, by Michael Marot, [abcNEWS](#), August 18, 2014.
- *NCAA tries to make its case in post-Ed O'Bannon trial brief*, by Jon Solomon, [CBSSports](#), July 8, 2014.
- *High Court Libor Case May Mean Headaches For Defense Bar*, by Melissa Lipman, [Law360](#), July 1, 2014.
- *Sterling's \$1B Antitrust Suit Against NBA Won't Fly*, by Karlee Weinmann, [Law360](#), June 2, 2014.

- *Donald Sterling 'tyrannical' in court, NBA will learn*, by Jeff Zillgitt, [USA Today](#), April 30, 2014.
- *Are ugly comments enough to remove a business owner?*, by Harry Bruinius, [Christain Science Monitor](#), April 30, 2014.
- *US Airways-American Airlines deal may mean higher prices: experts*, by Karen Jacobs and Diane Bartz, [Reuters](#), November 13, 2013.
- *Big Airline Merger Is Cleared to Fly*, by Jack Nicas, Wall Street Journal, November 12, 2013.
- *Merger of American Airlines and US Airways cleared for takeoff*, by Hugo Martin, [LA Times](#), November 12, 2013.
- *Surcharge decision bolsters \$7.2 billion credit card pact*, by Andrew Longstreth, Reuters, October, 2013.
- *What Does the Swipe-Fee Rule Rejection Really Mean?*, by Angela Hanson, [Convenience Store News](#), August 1, 2013.
- *Visa, MasterCard domination of debit-card market could end with court decision*, by Neil Roland, MLex Market Intelligence, August 1, 2013.
- *Judge: Fed 'Inappropriately' Inflated Debit Card Fees*, by Zoe Tillman, AmLaw Litigation Daily, July 31, 2013.
- *Will 'Swipe Fees' Move To Checking Accounts After Court Win For Merchants?*, by Daniel Fisher, [Forbes](#), July 31, 2013.
- *Swipe-Fee Rule Rejection to Help Merchants at Banks' Cost* by Tom Schoenberg, [Bloomberg online](#), July 31, 2013.
- *Attorneys Move to Block Merchant Websites Against Swipe-Fee Deal*, [Convenience Store News](#), April 2, 2013.
- *Merchants Plan to Appeal Judge's Preliminary Approval of Swipe-Fee Settlement*, Dow Jones Newswires, November 27, 2012.
- *Card Fee "Settlement" Just Start of Big Legal Battle*, [Reuters](#), October 14, 2012.
- *Attorneys Tussle Over Merchant Swipe-Fee Settlement*, [WSJ.com](#), August 23, 2012.
- *Retail Group Opposes \$7B Visa, MasterCard Antitrust Deal*, Competition Law360, August 22, 2012.
- *Wal-Mart asks retailers to reject swipe fee deal*, [CNNMoney.com](#), July 24, 2012.
- *Wal-Mart Balks At \$7 Billion Visa/MasterCard Settlement*, [Forbes](#), July 24, 2012.
- *Card Swipe Settlement: Merchants Question Benefit*, [ABCNews.com](#), July 18, 2012.
- *'We Won' vs. 'You Lost': Reactions to Credit Card Settlement*, [American Banker](#), July 16, 2012.
- *Visa Settlement "Fundamentally Flawed," Lawyer For Convenience Stores Says*, [Forbes](#), July 16, 2012.
- *Merchant Group Rejects \$6 Billion Swipe-Fee Deal*, American Banker, July 16, 2012.
- *Card Pact's Foes Arm for Battle*, [Wall Street Journal](#), July 15, 2012.
- *Wall Street Investors in Dark on Liability of Libor Probes*, [Bloomberg News](#), July 5, 2012.
- *Banks Ask NY Judge to Throw Out Libor Antitrust Suits*, [Bloomberg News](#), July 3, 2012.
- *Fed may loosen debit-card swipe-fee rules*, [MarketWatch](#), June 28, 2011.
- Mentioned in the article *How Wal-Mart Trumped JPMorgan on Debit Cards*, [Bloomberg](#), June 28, 2011.
- *Pro-bank swipe-fee measure fails in Senate*, [MarketWatch](#), June 8, 2011.
- *Microsoft antitrust decree ends, Google eyed*, [Reuters](#), May 12, 2011.
- *Retailers Might Save Millions From Financial-Overhaul Bill*, [Apparel News](#), July 23, 2010.
- *As An ACH Operator, Fed May Have Conflict Setting Debit Rates*, [PaymentsSource.com](#), July 1, 2010.
- *INSIGHT-Small banks fight card fee limits despite exemption*, [Reuters.com](#), June 15, 2010.
- Quoted in [Computerworld](#), [CNET News.com](#) and [ABH News](#) concerning a possible federal investigation into Apple's practices, June 14, 2010.
- *Apple's changes won't mollify trust-busters*, Reuters, June 11, 2010.
- *How Much is Adobe's Flash Really Worth*, [MarketWatch](#), June 4, 2010.
- *FTC clears Google purchase of mobile ad service*, [The Associated Press](#), May 24, 2010.
- *Google \$750 Million Purchase of AdMob Cleared by U.S.*, [Bloomberg.com](#), May 21, 2010.
- *Google gets U.S. antitrust OK on AdMob buy*, May 21, 2010.
- *Google wins clearance to buy mobile-advertising firm*, [MarketWatch](#), May 21, 2010.
- *Google get U.S. antitrust OK on AdMob buy*, [Reuters.com](#), May 21, 2010.
- *U.S. Approves Google's Deal for AdMob*, [New York Times](#), May 21, 2010.
- *FTC clears Google's AdMob deal*, [Seattle Post Intelligencer](#), May 21, 2010.
- *Google wins clearance to buy AdMob*, [Investor's Business Daily](#), May 21, 2010.



- *FTC OK's Google's AdMob Purchase*, Red Orbit, May 22, 2010.
- *Google gets US anti-trust OK on AdMob buy*, Business Standard, May 22, 2010.
- *FTC clears Google's AdMob deal*, San Francisco Chronicle, May 24, 2010.
- *1-US senator revives credit card fee reform*, Reuters.com, May 5, 2010.
- *Visa rattles payments with CyberSource acquisition*, The Green Sheet, April 23, 2010.
- *C-stores Face Legal Crossroads in Interchange Lawsuit*, Convenience Store News, April 22, 2010.

His **speeches** and **presentations** include the following:

- *Loyalty Discounts – When are They Anticompetitive?*, Co-Moderator at the ABA Pricing Conduct Committee, Panel Discussion, June 8, 2021.
- *The Merchant Card Acceptance Forum 2019*, panel speaker at cmspi forum, Dallas, Texas, May 9, 2019.
- *You Can Check Out Any Time You Like, But You Can Never Leave: Are Class Actions Impossible to Settle Now?* panel speaker at ABA Litigation Section, Annual Meeting, New York, New York, May 2, 2019.
- *Key risks/issues (privacy, security, fraud, AML) relating to data-rich payments in a modernized payment system*, panel speaker at The Future of Payments in Canada: New Opportunities and New Risks Client Seminar, Osler, Hoskin & Harcourt LLP, Toronto, Ontario, January 21, 2019.
- *Developing a Culture of Attorney Satisfaction*, panel speaker at 2019 Managing Partners Conference Program, New York State Bar Association, New York Hilton Midtown, New York, New York, January 17, 2019.
- *The Retail Payments Conference 2018*, panel speaker, hosted by CMSPI, Shard, London, November 7, 2018.
- *Podcast – Career in antitrust law and tips for new lawyers*, Career Development Office of NYU Law School's LLM Program, August 6, 2015.
- *Interchange Fee Discussion: For merchants – exploring traditional card schemes vs. new players*, panel speaker at PayExpo 2015, London, England, June 9, 2015.
- *Competitive Issues Surrounding Disruptive Technologies – Emerging Concerns, Lessons from History, and Enforcement*, panel speaker at 2015 Annual Energy Roundtable, American Antitrust Institute, Washington, D.C., May 27, 2015.
- *Emerging Technologies and the Future of Payments*, Retail Industry Leaders Association annual conference, San Antonio, Texas, October 16, 2014.
- *The MasterCard ECJ Judgment: What does it mean for the litigation and regulatory challenges facing payment cards?*, Constantine Cannon workshop with Richard Pike and James Ashe-Taylor, London, England, October 9, 2014, and Brussels, Belgium, October 13, 2014.
- *Antitrust Litigation: Bridging the Divide*, briefing with James Ashe-Taylor, Constantine Cannon, London, England, July 16, 2014.
- *Trade Associations 2.0: New Collaboration Models, Old Risks?*, panel speaker at 2014 Annual ABA Spring Meeting, JW Marriott Hotel, Washington, D.C., March 26, 2014.
- *Important Update on Interchange Lawsuit*, presented to MAG Webinar, July 24, 2012.
- *Legal Update on Card Acceptance*, presented with Steve Cannon as part of Merchant Advisory Group Webinar, April 11, 2012.
- *Legal Update on Card Acceptance presented to MAG Webinar*, April 5, 2012.
- *Legislative Session, speaker at ATMIA Conference 2012*, San Antonio, Texas, February 29-March 2, 2012.
- *Legal and Regulatory Issues Facing the ATM Industry*, presented at The Power of ATMs, ATMIA US Conference, 2012 in San Antonio, Texas, March 1, 2012.
- *The Merchant Perspective*, moderator of panel at ATM, Debit and Prepaid Forum, Las Vegas, Nevada, November 4, 2011.
- *Antitrust is Now More Important than Ever*, presented at NYU Afternoon Speaker Series, New York, New York, October 20, 2011.
- *Legal/Regulatory Developments & the Debit Market presented to International Payments Forum*, May 19, 2011.
- *Morgan Stanley 2011 IT Services Summit*, panel speaker, Palace Hotel, New York, New York, May 4, 2011.
- *Legal/Regulatory Issues and Electronic Payments*, presented to Merchant Acquirers' Committee 2011 Conference, MGM Grand Hotel, Las Vegas, Nevada, April 12, 2011.

- *Standards for Class Certification in the United States*, presented to Canadian Bar Association 2010 Annual Fall Competition Law Conference, Ottawa, September 30, 2010.
- *Interchange and Other Reforms: Who Will Have an Impact?*, panel speaker at Morgan Stanley 2010 Payments Summit, Westin in Times Square, New York, New York, May 5, 2010.
- *Intellectual Property and Antitrust – Current Conflicts and Future Trends*, presented to Cleveland Intellectual Property Lawyers' Association (CIPLA), Cleveland, Ohio, January 14, 2010.
- *The Continuing Challenge Posed by Visa and MasterCard*, presented to The National Retail Federation's General Counsel Forum, New York, New York, January 13, 2010.
- *Intellectual Property and Antitrust: Current Conflicts and Future Trends*, panel speaker at LES USA and Canada 2009 Annual Meeting, San Francisco, California, October 18-21, 2009.
- *Risky Business: How the Electronic Information Explosion Is Revolutionizing Discovery*, panel speaker at H5 Technologies breakfast meeting, Harvard Club, New York, New York, July 23, 2008.
- *The Antitrust Treatment of Joint Ventures: Lessons from Visa and MasterCard*, presented to The Antitrust Aspects of Bank Mergers Symposium, Fordham Law School, New York, New York, November 13, 2007.
- *Bell Atlantic Corp. v. Twombly: A Discussion of the Potential Impact that the Supreme Court's Recent Decision will have on Antitrust Cases and Beyond*, panel speaker at ABA-CLE Teleconference, July 11, 2007.
- *Beyond Trinko and Twombly: The Role of Private Consumer Actions in Detecting and Providing Remedies for Antitrust Violations*, presented to American Bar Association Section of Antitrust Law 2007 Spring Meeting, Washington, D.C., April 18, 2007.
- *Recent Developments in International Antitrust Law & Practice*, presented to American Bar Association Section of Litigation Annual Conference, Washington, D.C., April 13, 2007.
- *In Re Visa Check Distribution*, presented to Airline Transport Association, September 27, 2005.
- *The Future of Debit Interchange*, presented to ATM & Debit Forum 2005, September 26, 2005.
- *The Future of Visa and MasterCard*, presented to Lafferty Payments Conference, London, England, May 11, 2005.
- *The Future of Debit in the Aftermath of the Merchant Litigation Against Visa and MasterCard*, presented to the American Bar Association Business Law Section, August 8, 2004.
- *Trademark and Antitrust Law*, presented to Practising Law Institute, Advanced Seminar on Trademark Law, May 19, 2004.
- *The Future of Debit in the Aftermath of the Merchant Litigation Against Visa and MasterCard*, presented to Thomson Card Forum, May 6, 2004.
- *The Future of Debit in the Aftermath of the Merchant Litigation Against Visa and MasterCard*, presented to Pulse EFT Board of Directors, April 6, 2004.
- *Antitrust and Copyright Law*, presented to Random House, March 23, 2004.
- *In Re Visa Check/MasterMoney Antitrust Litigation What it Means for the Future of Debit*, presented to Electronic Funds Transfer Association, October 1, 2003.

Mr. Shinder graduated from Osgoode Hall Law School in Toronto, Canada, in 1991, and received a Masters of Law in Trade Regulation, focusing on antitrust and international trade law, from New York University School of Law in 1994.

Prior to joining Constantine Cannon, Mr. Shinder was associated, as an articling student and summer associate, with the Toronto office of Goodman and Goodman. Mr. Shinder is a member of the bars of the State of New York and the Province of Ontario. Mr. Shinder belongs to the American and New York State Bar Associations, the antitrust section of the American Bar Association, the Internet Sub-Committee of the ABA antitrust section, and the Canadian Bar Association. Mr. Shinder was a member of the Antitrust and Trade Regulation Committee of the Bar Association of the City of New York.